

**Commonwealth of Virginia - REQUEST FOR PROPOSAL****Issue Date:** April 4, 2014**Issue Title:** **Restoration of Competency Services for Juveniles****Issuing Agency:** Department of Behavioral Health and Developmental Services (DBHDS) - Office of Forensic Services  
P.O. Box 1797, Richmond, Virginia 23218**Using Agency and Location Where Work Will Be Performed:** Commonwealth of Virginia – Statewide**Period of the Contract:** July 1, 2014 through December 31, 2015.**Renewals:** Contract may be renewed for five (5) additional periods of one (1) year duration upon mutual agreement between all parties and subject to availability of funding.

Proposals will be received for furnishing services described herein until:

**Tuesday, May 13, 2014 - 3:00 PM EST****All inquiries for information shall be directed to:**

<b>Proposal Preparation and General Procedural Queries:</b>	Chris Foca 804-371-2433 or chris.foca@dbhds.virginia.gov
<b>Copies of RFP:</b>	

**NOTE:**

To ensure that all questions receive responses in a timely manner, interested vendors are requested to submit questions via fax to 804-786-3827 using the enclosed **Form 1—Fax Back Solicitation Questions** including e-mail address, voice and fax phone numbers by no later than 3:00 pm EST on April 21, 2014. Questions received by the due date will be answered by May 2, 2014. Answers will be posted on eVA and the department's website.

Questions received after the April 21, 2014 deadline may be answered as time permits.

May be obtained at [www.DBHDS.state.va.us](http://www.DBHDS.state.va.us). Click on link to Procurement/Solicitations and then click on link to Solicitations for the Office of Administrative Services and look for solicitation number assigned.

**Proposal Delivery Information:**

All Proposals shall be addressed: **DBHDS, Office of Administrative Services**. If mailed, send to **P.O. Box 1797, Richmond, VA 23218-1797**; if hand delivered **Jefferson Building, 8<sup>th</sup> Floor - Room 818, 1220 Bank Street, Richmond, Virginia, 23219**. Envelopes should be marked with RFP number and opening date and time. It is the contractor's responsibility to assure that proposals are received and logged in by Procurement Operations staff at the location indicated by the date and time above, regardless of the method of delivery. LATE proposals will NOT be accepted under any circumstances. The above page and this signature page **must** accompany your proposal, with all information supplied and signatures applied as required.

IN COMPLIANCE WITH THE ABOVE REFERENCED REQUEST FOR PROPOSALS AND TO ALL THE CONDITIONS IMPOSED HEREIN, IN FACT OR BY REFERENCE, THE UNDERSIGNED OFFERS AND AGREES TO FURNISH THE SERVICES IN ACCORDANCE WITH THE ATTACHED SIGNED PROPOSAL OR AS MUTUALLY AGREED UPON BY SUBSEQUENT NEGOTIATION.

**Offeror Name and Address:**

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**Date:** 

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**By:** 

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(Official Signature in Ink)

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**Printed Name:** 

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**Telephone:** 

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**FEI/FIN Number:** 

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**Title:** 

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The following information is requested, but it is not mandatory that it be supplied. Minority status does not influence the award: (Please Check all that apply)

<input type="checkbox"/>	Contractor DOES consider his/her firm to be a minority business.
<input type="checkbox"/>	Contractor does NOT consider his/her firm to be a minority business
<input type="checkbox"/>	Contractor IS certified as a minority business by VA Department of Minority Business Enterprise.
<input type="checkbox"/>	Contractor is NOT certified as minority business by VA Department of Minority Business Enterprise.
<input type="checkbox"/>	Contractor is a eVA registered vendor. (Learn about eVA at <a href="http://www.eva.state.va.us">www.eva.state.va.us</a> )
<input type="checkbox"/>	Contractor is NOT a eVA registered vendor.

**FORM 1 – Fax Back Solicitation Questions**  
(Offerors to reproduce as needed.)  
**No Fax Cover Sheet Is Required.**

**FAX BACK: Questions will be accepted through April 18, 2014 – 3:00 PM EST**

TO: Procurement Operations, Office of Administrative Services  
Virginia Dept. of Behavioral Health and Developmental Services  
Richmond, Virginia 23218

**FAX TO: 804-786-3827**

Please record your question(s) regarding the above referenced solicitation:

Your Company:

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Your Name:

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Your Voice Phone:

Fax Phone:

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**1.0 PURPOSE**

The purpose of this Request for Proposals (RFP) is to solicit sealed proposals from qualified contractors, individuals, Community Services Boards/Behavioral Health Authorities (CSBs/BHAs), or regional partnerships to establish a contract for the provision of restoration of competency services to juveniles where the courts have issued an order pursuant to §16.1-357 of the Code of Virginia for restoration. The selected Contractor(s) will implement an individualized program of forensic evaluation, assessment, education, training and case management services for each assigned juvenile in accordance with the court order. The selected Contractor(s) will provide evaluation and restoration services wherever the juvenile is physically located in the Commonwealth of Virginia, whether that be in a non-secure community setting or in a secure facility as defined in §16.1-228 Code of Virginia.

This RFP is governed by the General Terms and Conditions (Schedule A) and the laws of the Commonwealth of Virginia including the Virginia Public Procurement Act.

**1.1 INFORMATION**

The 1999 session of the General Assembly amended the Code of Virginia by adding Article 18 to Chapter 11 of Title 16.1. This article, consisting of sections §16.1-356 through §16.1-361, provides that a question about a juvenile's competency to stand trial may be raised by the Commonwealth's Attorney, the defense or the court, *sua sponte*, when a juvenile charged with a delinquency offense is before a juvenile and domestic relations district court.

Upon a finding that a juvenile is incompetent to stand trial and upon receipt of a court order The Department of Behavioral Health and Developmental Services (DBHDS) will arrange for the provision of restoration services. These services are to be provided in the least restrictive setting permitted by the court (e.g. on bond or in detention). In the event that the juvenile is 18 years old or older, and placed by the court in a jail or detention center for adults, the selected Contractor(s) would provide restoration services to the juveniles in those settings.

The frequency of court orders over the last three fiscal years has been the following:

FY 2011 = 137  
FY 2012 = 145  
FY 2013 = 112

The distribution of Court Orders (by locality and Partnership Planning Region (PPR)) from December 2010 through October 2013 is attached (Attachment 1).

**DBHDS provides this information for reference only and shall not be considered a guarantee of service volume or limits.**

**1.2 BACKGROUND**

The Commonwealth of Virginia Department of Behavioral Health and Developmental Services, under Title 37.2 of the Code of Virginia, as amended, implements the policies established by the State Behavioral Health and Developmental Services Board (State Board) and is the responsible authority for the provision of Behavioral Health and Developmental Services to Virginians. The mission of the DBHDS is to improve the quality of life of individuals with, or who are at risk of, severe mental disability or substance abuse. Publicly funded community Behavioral Health and Developmental Services are delivered in Virginia through a system of 40 CSBs/BHAs. CSBs/BHAs are public bodies that are made up of a single jurisdiction or several contiguous jurisdictions. The Commonwealth is also divided up into seven Partnership Planning Regions (PPRs) who establish interagency relationships to enhance service delivery within a particular region of the Commonwealth. By statute, CSBs/BHAs are the single point of entry into the publicly funded behavioral health and developmental services system.

In addition to their service provision responsibilities, CSBs/BHAs are advocates for consumers; community educators, planners and organizers; and advisors to local government. CSBs/BHAs also serve as gatekeepers for accessing needed services and supports through case management and state facility preadmission screening and predischarge planning activities.

- 1.3 **MULTIPLE AWARD:** The DBHDS reserves the right to make one single statewide award or multiple award(s) for one or more Partnership Planning Regions as determined to be in the best interest of the Commonwealth as determined by the DBHDS.

1.4 **DEFINITIONS**

For the purpose of this RFP and resulting contract(s), the following definitions apply:

- 1) **Competency Restoration Services** are education and training services provided face to face to individual juveniles to assist in establishing or restoring their competency to stand trial. Some of the abilities the juveniles should be expected to demonstrate include:
  1. Appreciation of the charges or allegations against him;
  2. Appreciation of his situation as a defendant in a criminal prosecution;
  3. Appreciation of the range and nature of possible penalties that may be imposed in the proceedings, if applicable;
  4. Understanding of the legal proceedings and the adversarial nature of the legal process;
  5. Understanding of the role of defense counsel and the need to disclose to defense counsel facts pertinent to the proceedings at issue, and to demonstrate the ability to work with defense counsel;
  6. Understanding of the roles of other courtroom personnel;
  7. Understanding of 5<sup>th</sup> Amendment protections;
  8. Demonstration of the abilities to display appropriate courtroom behavior; and to testify relevantly; and

9. Demonstration of his present ability to assist his counsel in his own defense with a reasonable degree of rational understanding, including (a) understanding legal strategies and the potential consequences of these strategies and (b) demonstrating the ability to make self interested decisions based on his understanding of his role in the legal process.
- 2) Evaluation is the process of determining the juvenile's competency to stand trial pursuant to § 16.1-356A of the Code of Virginia.
- 3) The Admission Competency Evaluation (ACE) is a forensic clinical evaluation of juvenile competency to stand trial. The Contractor conducts the ACE within 14 calendar days of the receipt of authorization to provide restoration services. The purpose of the ACE is for qualified forensic staff employed by the contractor to assess the current competency to stand trial of the juvenile in order to provide a basis for the development of the Competency Restoration Services Plan.
- 4) The Competency Restoration Services Plan (CRSP) describes the discrete services to be provided to the juvenile to establish or restore his competency to stand trial. The CRSP includes individualized specific goals and objectives with related time frames for restoring the juvenile to competency to stand trial. The CRSP is written by qualified forensically trained staff and:
  - a. Provides specific methodology and guidance for the restoration provider to use in providing restoration services to an individual juvenile;
  - b. Prescribes the frequency and location for restoration services; and
  - c. Identifies the restoration provider and the restoration supervisor. Revisions to the CRSP should be made as additional information is obtained, or circumstances change.
- 5) Case Management Services - Restoration include
  - a. Communication with other service providers regarding competency related services needed by the juvenile;
  - b. Communication with attorneys and the court;
  - c. Communication of restoration provider with restoration services supervisor;
  - d. Supervision of restoration services;
  - e. Documentation of restoration activities;
  - f. Court appearances; and
  - g. Transportation of the juvenile to competency related services (as applicable)
- 6) Case Management Services - Travel includes travel of the Provider's evaluator, restoration worker, and/or restoration supervisor to the location of the juvenile to provide services to the juvenile.
- 7) Court Appointed Evaluator is a juvenile forensic evaluator appointed by the court to determine a juvenile's initial competency to stand trial pursuant to §16.1-356 of the Code of Virginia.

- 8) Independent Evaluator is a juvenile forensic evaluator who evaluates a juvenile's competency to stand trial pursuant to §16.1-356 of the Code of Virginia. The independent evaluator performs an independent evaluation after a juvenile has received restoration services to determine whether the juvenile is now competent to stand trial and to report such to the court with recommendations. See "Amended Guidelines Regarding the Evaluation of Juvenile Competency to Stand Trial and the Provision of Restoration Services for Juveniles Pursuant to the Code of Virginia, Sections 16.1-356 through 16.1-361" attached to this RFP for information additional information regarding the responsibilities and credentials required to perform this function (Attachment 2). The independent evaluator can either be employed by the contractor or be an independent practitioner who performs these evaluations under a subcontract. The independent evaluator shall not be the restoration counselor or the restoration supervisor.
- 9) Incompetent to Stand Trial means that a juvenile and domestic relations district court has found that the juvenile does not adequately understand the proceedings against him, and is not able to assist his attorney in his own defense. (§16.1-356)
- 10) Secure Facilities as defined in §16.1-228 Code of Virginia are detention homes operated by local, regional or state entities including the detention unit of the Culpeper Juvenile Correctional Center that is used as a detention home, and Department of Juvenile Justice Juvenile Correctional Centers. If the juvenile has reached the age of eighteen (18) years, the court may place the juvenile in a jail or detention center for adults.
- 11) CSB/BHA One or more of the 40 Community Services Boards or Behavioral Health Authorities within localities throughout Virginia who have primary responsibilities for the provision of community based MH/MR/SA services.
- 12) Post Restoration Evaluation is the evaluation of the juvenile's competency to stand trial conducted after the juvenile has participated in restoration services. Post Restoration Evaluations are completed whenever the restoration provider is of the opinion the juvenile has regained his/her competency to stand trial or when the restoration provider is of the opinion the juvenile is unrestorably incompetent to stand trial or whenever an update is due to the Court.

**1.5 Desired Procurement Time Frames:**

<b>Event</b>	<b>Target</b>	<b>Location</b>
Issue Solicitation to potential providers.	4/03/2014	From Richmond, Virginia
Collect and respond to questions from vendors	4/18/2014	Richmond, Virginia
Receive proposals	5/13/2014 - 3 PM	Richmond, Virginia
Evaluate proposals	Thru 5/21/2014	Richmond, Virginia
Negotiations – Offeror(s) possibly to be required	Up to 5/31/2014	Richmond, Virginia

<b>Event</b>	<b>Target</b>	<b>Location</b>
to be on site		
Post Intent	6/30/2014	Richmond, Virginia
Target Award	7/01/2014	Richmond, Virginia

- 1.6 **Participation of Small Businesses and Businesses owned by Women and Minorities:** It is the policy of the Commonwealth of Virginia to contribute to the establishment, preservation, and strengthening of small businesses and businesses owned by women and minorities and to encourage their participation in State procurement activities. Toward that end, the Commonwealth encourages contractors to provide for the participation of disadvantaged minority, women-owned and small businesses and businesses through partnerships, joint ventures, subcontracts, or other contractual opportunities. Please indicate in Attachment A to this proposal the type and amount of subcontracting you propose if awarded this contract. The quarterly reporting of such subcontracting, joint ventures, etc. shall be a requirement of any contract resulting from this solicitation. Therefore, the successful contractor(s) shall submit a "Contractor's Report on Subcontracting" to the Contracting Agency within fifteen days after the end of each quarter during the term of the resulting contract and any subsequent renewal. This report shall be submitted even if there has been no applicable subcontracting during the preceding calendar quarter.

## 2.0 **QUALIFICATIONS OF CONTRACTOR**

Contractor must be able to fulfill the following obligations:

- (i) address their ability to provide restoration services in the juvenile's home and/or a community location near the child's home which fosters active and consistent engagement in services;
- (ii) provide restoration services in non-secure community settings including group homes, and in secure settings as defined by §16.1-228, Code of Virginia;
- (iii) provide assessment of the juvenile's competency for consideration by the Juvenile and Domestic Relations Court ordering the restoration services;
- (iv) have the capacity to transport or arrange for transport of the juveniles as needed (only applicable to those juveniles in non-secure settings); and
- (v) provide case management services.

## 3.0 **SCOPE OF WORK - MANDATORY REQUIREMENTS**

The Contractor(s) shall provide all labor, information technology related equipment, materials, staff, supplies, travel and transportation required to fulfill the following mandatory requirements:

- 3.1 Provide sufficient quantities of laptop computers so that at least once per week each juvenile shall receive training through Contracting Agency provided restoration audio visual materials to include computer based applications.



- 3.2 Provide and ensure that all services under any resulting contract comply with section §16.1-356 through §16.1-361 Code of Virginia, as amended.
- 3.3 Provide restoration services including the provision of training, education, and case management services designed to restore the juvenile's competency. Services shall be provided to the juvenile in either a nonsecure community setting or a secure facility as defined in §16.1-228 Code of Virginia. Contractor shall be able to demonstrate ability to provide these services by July 1, 2014.
- 3.4 Serve only children who are eligible under Article 18, Chapter 11, Title 16.1 of the Code of Virginia and who are court ordered to receive restoration services regardless of age, sex, medical condition, economic status, previous history, potential prognosis, or type of placement.
- 3.5 Deliver services in accordance with the court order and/or as authorized by DBHDS contract manager or designee.
- 3.6 Provide restoration services under this contract within the boundaries of the Commonwealth of Virginia only.
- 3.7 Maintain ongoing communication with families, courts, attorneys, CSBs/BHAs, case managers, DBHDS and other service providers to keep parties informed about status and progress as appropriate and in accordance with confidentiality requirements.
- 3.8 Coordinate all services provided under resulting contract with CSB case manager as applicable and as appropriate.
- 3.9 Have sufficient, qualified, trained staff to provide juvenile competency restoration services. Contractor shall collaborate with DBHDS to ensure new staff receive requisite training in a timely manner. Minimum Qualifications are as follows:
  - 3.9.1 Restoration Counselors - Bachelors degree in human services or related field, minimum of two years post bachelor's degree supervised experience working with juveniles, and completion of approved training designated by Commissioner (Can be completed post award of contract).
  - 3.9.2 Restoration Supervisor – Licensed in Commonwealth (LCSW, LPC, or LCP); minimum of two years post graduate experience working with children/juveniles; and completion of approved training designated by Commissioner of DBHDS (Can be completed post award of contract) (See Attachment 3 and 4).
- 3.10 The contractor is prohibited from discharging any juvenile served under contract award pursuant to this RFP for any reason other than the following:
  - 3.10.1 The juvenile is determined by the court to be competent to stand trial;
  - 3.10.2 The juvenile is found by the court to be unrestorably incompetent to stand trial; or

3.10.3 The court determines the juvenile is no longer in need of competency restoration services.

3.10.4 Other order of the court

3.11 Provide services in compliance with all applicable licensing regulations and other service standards as approved by the DBHDS and perform the tasks listed below:

**Service Tasks:**

- 1) **Admission Procedures and Time Frames:** Within three (3) working days of receipt of an authorization for services from the Contract Manager, the Contractor will have face-to-face contact with the juvenile and will initiate the assessment process and the development of the individualized competency restoration services plan.
- 2) **Evaluations to Determine Competency at Admission:** The Contractor will conduct an Admissions Competency Evaluation (ACE) within 14 calendar days from the date of receipt of authorization for services from the DBHDS contract manager. The ACE shall be a formal forensic evaluation of the juvenile's competency to stand trial pursuant to § 16.1-356 of the *Code of Virginia* upon receipt of an authorization to provide restoration services. The Contractor will ensure that its staff or subcontractors performing these evaluations meet the training and qualifications as adequate training and qualifications for individuals who are authorized to conduct juvenile competency evaluations as outlined in §16.1-356.

If the juvenile has a developmental disability, the Contractor(s) will include appropriate documentation of that disability in the ACE. For juveniles with developmental disabilities, the Contractor shall obtain and review actual copies of special education records.

The forensic evaluator should obtain and review the educational records and mental health treatment records of each juvenile prior to the construction of the ACE. Pertinent information from those documents shall be integrated into the individualized ACE.

The juvenile forensic evaluator shall include the following in the ACE:

- The juvenile's measured IQ (if available), level of adaptive functioning, and the documented source of that data;
- Any psychiatric diagnoses and the source of that data;
- The juvenile's ability to appreciate the charges or allegations against him;
- The juvenile's level of understanding of the basic elements of the legal proceedings and the adversarial nature of the legal system;
- The juvenile's ability to understand constitutional protections;

- The juvenile's level of appreciation of his situation as a defendant in a criminal prosecution;
- The juvenile's ability to understand the role of defense and the need to disclose pertinent information to counsel concerning the facts of the case;
- The juvenile's ability to understand the roles of other officers of the court in the courtroom;
- The juvenile's appreciation of the range and nature of possible penalties that may be imposed in the proceedings, if applicable;
- The juvenile's demonstrated present ability to consult with his attorney to assist in his own defense with a reasonable degree of rational understanding, including (a) understanding legal strategies and the potential consequences of these strategies, and (b) demonstrating the ability to make self interested decisions based on his understanding of his role in the legal process; and
- The juvenile's degree of rational factual understanding of the proceedings against him.

In the event that information a Contractor has requested from schools and other service providers has not been received within the fourteen (14) calendar days allocated for the submission of the ACE, The Contractor shall submit the ACE inclusive of all currently available information and document its effort to obtain that information from additional specified sources. Once the additional information has been obtained by the Contractor, the Contractor shall incorporate that information into the report and submit a revised ACE, and if appropriate, a revised CRSP to the Contract Manager within five (5) working days of receipt of the information.

- 3) **Competency Restoration Services Plans:** Based upon the admission evaluation, assessments, input from all service providers and other relevant data, the Contractor's restoration supervisor/counselor will develop an individualized competency restoration services plan or CRSP as a guideline for the restoration services to be provided to the individual juvenile. The Contractor will ensure that the juvenile and the juvenile's custodial parents, primary caretaker, or legal guardian, are given the opportunity to be involved in the development of the plan. The Contractor will submit a copy of the competency restoration service plan to the contract manager within fourteen (14) calendar days of receipt of the authorization for services.

For juveniles with developmental disabilities, the Contractor shall determine the juvenile's preferred mode of learning and incorporate that learning mode into the restoration service plan by utilizing one or more of the preferred learning modes which include but, are not limited to:

- Verbal
- Role Play
- Play
- Art
- Video

Whenever additional information is obtained, or circumstances change so that the restoration services provided to a juvenile should be modified, the Contractor shall submit a revised CRSP to the Contract Manager within five (5) working days of receipt of this information.

- 4) **Restoration:** The contractor shall provide restoration services as prescribed and delineated in the "DBHDS Juvenile Competency to Stand Trial Procedures" (Attachment 5).

Restoration services shall be initiated by the fifteenth (15<sup>th</sup>) calendar day from the date of receipt of the authorization for services. The Contractor(s) shall provide restoration services to the juvenile, a minimum of two (2) days per week, each week, unless the competency restoration services plan includes a detailed rationale for providing restoration services more frequently or less frequently and the request to alter the frequency of restoration sessions has been pre-approved by DBHDS. It shall be the responsibility of the contractor to make every effort to ensure that the juvenile is available for services and that services are provided as scheduled.

Restoration services shall incorporate, as appropriate to the learning style of the individual juvenile, Contracting Agency provided restoration audio visual materials to include, board game, CD-ROM and work books, etc (to be provided by DBHDS).

The restoration supervisor will have a face-to face interview with each juvenile and the restoration worker who provides services to that juvenile at least once each thirty (30) calendar days from the date of receipt of the authorization for services until the date restoration services are terminated.

During each supervisory interview with the juvenile, the restoration supervisor shall:

- Assess the juvenile's current competency to determine if the juvenile is competent, incompetent or restorable; and
- Obtain information to revise ACE and CRSP, as necessary.

Within five (5) working days of each face-to-face supervisory interview with each juvenile and restoration worker, the juvenile forensic evaluator/restoration supervisor shall:

1. Revise the ACE and CRSP, as appropriate, and provide copies of revised ACE and CRSP to the DBHDS contract manager. The juvenile forensic evaluator/restoration supervisor shall include in the ACE and in any post restoration evaluations of competency:
  - a. The juvenile's level of intelligence and the documented source of that data;
  - b. Any psychiatric diagnoses and the source of that data; and
  - c. Any physical diagnoses and the source of that data.

2. Provide a written report of the restoration supervisor's face-to-face interview with the juvenile to the DBHDS contract manager (Attachment 6).

When the Provider has provided restoration services to a juvenile and the juvenile continues to be incompetent to stand trial, but restorable in the foreseeable future, prior to the expiration of the court order, the Contractor shall arrange for the juvenile's current competency status to be evaluated by an independent evaluator. The evaluation report of the independent evaluator shall include the requirements as described in Section 3.13, Number 2 of this RFP. The Contractor(s) shall submit the signed final copy of the independent evaluation report to the court, the attorneys and the DBHDS contract manager within seven (7) working days of the date the independent evaluator interviewed the juvenile. In all cases, copies of the independent evaluations shall be provided to the court, attorneys, and the contract manager a minimum of two (2) working days prior to the court hearing.

- 5) **Transportation:** If juvenile is provided restoration services in a nonsecure community setting, the Contractor shall ensure transportation, if necessary (if parent/guardian has no other means of transportation), to restoration services, to the independent evaluator for post restoration evaluation(s) and to the court hearing(s). If the juvenile is placed in a secure residential placement as defined in §16.1-228 Code of Virginia, the local Sheriff's Office or the Department of Juvenile Justice will provide or arrange for transportation to court hearings.

3.12 Services for non-English speaking juveniles will be provided in the juvenile's primary language. Services for juveniles who have a disability, including but not limited to those who are deaf, visually impaired or physically disabled, will be provided by means necessary to accommodate the disability. Contractor(s) will be allowed to seek reimbursement of reasonable cost paid for any interpreter services necessary in the provision of restoration, evaluation and case management services.

3.13 Upon request of the court or the request of DBHDS, The Contractor's competency restoration supervisor will attend any and all court hearings on the issue of competency.

3.14 Discharge Procedures:

a) Juveniles Unrestorable:

- 1) Whenever the Contractor determines that a juvenile is likely to remain incompetent for the foreseeable future, the Contractor will immediately arrange for an independent evaluator to evaluate the juvenile. The evaluation report of the independent evaluator shall include the requirements as described in Section 3.13, Number 2 of this RFP. The Contractor(s) shall submit the signed final copy of the independent evaluation report of the Post Restoration Evaluation of Competency to Stand Trial (PRECST) to the court, the attorneys and the DBHDS contract manager within seven (7) working days of the date the independent evaluator interviewed the juvenile. In all cases, copies of the independent evaluations shall be provided to the court,

attorneys, and the contract manager a minimum of two (2) working days prior to the court hearing.

- 2) The Contractor will continue to provide services to the juvenile until the court holds a hearing on the matter and finds the juvenile unrestorably incompetent to stand trial. If contractor desires to decrease the frequency of session while awaiting a hearing, they shall contact the DBHDS contract manager to arrive at an agreed upon schedule for sessions. If the court should (a) find the juvenile incompetent to stand trial and (b) dismiss the juvenile's charges, services shall be terminated and the contractor shall complete a discharge summary.
- 3) If the court should find the juvenile incompetent to stand trial but does not agree to dismiss the juvenile's charges and orders further competency restoration training, the Contractor will continue to (a) provide competency restoration services, (b) evaluate the juvenile every 30 days (c) provide reports to the court, and (d) follow the other instructions of the court.
- 4) If the court finds the juvenile incompetent to stand trial but does not agree to dismiss the juvenile's charges and does not order further competency training, services shall be terminated.
- 5) Submit a Discharge Summary Report to the Contract Administrator

b) Juveniles Restored:

- 1) Whenever the Contractor(s) determines that a juvenile has been restored to competency, the contractor will immediately arrange for an independent evaluator to evaluate the juvenile. The Contractor(s) shall submit the signed final copy of the independent evaluation report of the Post Restoration Evaluation of Competency to Stand Trial (PRECST) to the court, the attorneys and the DBHDS contract manager within seven (7) working days of the date the independent evaluator interviewed the juvenile. The Contractor(s) will collaborate with the Court and the attorneys to facilitate an immediate court hearing. In all cases, copies of the independent evaluations shall be provided to the court, attorneys, and the Contract Manager a minimum of two (2) working days prior to the court hearing.
- 2) If the court finds that the juvenile is competent to stand trial, the Contractor will, within one working day, notify the DBHDS contract manager or appointed designee. The contractor shall also complete a discharge summary.
- 3) Submit a Discharge Summary Report to the Contract Administrator

3.15 The contractor shall maintain client records and provide copies to any referring CSB as appropriate. Information maintained in the client record should include, but is not limited to:

- Name of juvenile
- Social Security number
- Delinquency charge(s)
- Date of birth
- Age at time of the alleged offense
- Race and gender
- Name of custodial parent and/or legal guardian
- Consents to the release of information signed by the parent and/or legal guardian
- Primary language
- Diagnoses (multi-axial)
- Judge's name and jurisdiction
- Names and addresses of attorneys
- Local CSB and CSU case manager
- Mental health history
- Special Education records
- Verification of IQ testing, with numeric scores, date of testing, and ID of evaluator
- Assessments of adaptive functioning for juveniles with developmental disabilities
- Date of receipt of authorization for services from DBHDS
- All evaluations of juvenile's competency
- Court orders
- Competency Restoration Service Plans
- Documentation of mental health competency restoration services and/or mental retardation training provided to juvenile
- Documentation of competency training provided to juvenile
- Unusual incident reports
- Documentation of provider involvement in court hearings
- Results of court hearings on the issue of competency
- Name, phone number and address of juvenile's custodial parent or legal guardian, or primary caretaker
- Name, phone number and address of juvenile's custodial parent or legal guardian, or primary caretaker
- Documentation of contacts with juvenile's parent/guardian/primary caretaker
- Copies of police reports and charges
- Correspondence with courts and attorneys
- Name, phone number and address of juvenile's attorney of record
- Documentation of contacts with juvenile's attorney of record
- Name, phone number and address of juvenile justice case manager
- Narrative Discharge Plan
- Completed Juvenile Competency Services Discharge Summary Checklist
- Specific juvenile outcomes

- 3.16 Maintain all records, reports, and correspondence required to be maintained pursuant to the resulting contract in such manner as to be accessible by the DBHDS upon demand.

**4.0 REPORTING AND DELIVERY REQUIREMENTS:**

The Contractor(s) shall maintain and make available to the DBHDS at a minimum the following:

- 4.1 The contractor shall, within two work days, submit copies of any reports or correspondence sent to the courts and attorneys along with court orders to the contract manager.
- 4.2 Provide written documented proof of education/training of staff as outlined in 3.9.
- 4.3 Submit a copy of the Admissions Competency Evaluation and the Competency Restoration Services Plan no later than the fourteenth (14<sup>th</sup>) calendar day from the date of issuance of the authorization for Services.
- 4.4 Provide a monthly report by the tenth (10<sup>th</sup>) calendar day of each month for each juvenile provided with restoration to competency services during the previous calendar month to include the following:
- 4.5.1 Brief summary of the services provided.
  - 4.5.2 Brief summary of any unusual event that may have occurred during the provision of services.
  - 4.5.3 Number of days juvenile resided in a:
    - 4.5.3.1 non-secure setting
    - 4.5.3.2 secure setting
- 4.5 Provide copies of Independent Evaluator Reports for each juvenile served.
- 4.6 Provide a summary of all diagnostic and cognitive testing results that are available on each youth ordered into restoration.
- 4.7 File a written report of the juvenile's competency status with the court at least once every three (3) months, or at such shorter intervals as ordered by the court. Such report must be received by the court, the attorney's and the Contract Manager a minimum of two (2) working days prior to the scheduled court hearing.
- 4.8 Submit to the Contract Manager within ten (10) calendar days after termination of services a completed Discharge Summary to include:
- 4.8.1 The DBHDS Juvenile Competency Restoration Services Discharge Summary Checklist
  - 4.8.2 A narrative discharge summary to include:
    - 4.8.2.1 Juvenile's name and identifying information.
    - 4.8.2.2 Court of jurisdiction.
    - 4.8.2.3 Brief description of challenges and unique issues encountered.
    - 4.8.2.4 Brief description of any special circumstances.
    - 4.8.2.5 Total number of independent evaluations provided to the court.
    - 4.8.2.6 Final disposition by the court.



- 4.9 Submit by the tenth (10<sup>th</sup>) calendar day each month an invoice to include the following information for each juvenile to whom services were provided during the previous calendar month.
- 4.9.1 Name
  - 4.9.2 Time period covered
  - 4.9.3 Units of service delivered
  - 4.9.4 Total billed for the time period billed, and subtotals for the type of service
  - 4.9.5 Payment rate for services provided
  - 4.9.6 Total amount billed per service type for all services
- 4.10 The Contractor(s) shall not be allowed to submit invoices for services provided to a juvenile during the current or previous month(s) unless and until all required reports and data submission requirements for that juvenile have been received and approved by the DBHDS contract manager.

**5.0 PROPOSAL PREPARATION AND SUBMISSION REQUIREMENTS:**

- 5.1 **SPECIFIC REQUIREMENTS OF PROPOSAL:** Proposals submitted in response to this RFP should be as concise as possible so that the DBHDS evaluation team may properly evaluate your capabilities to provide the required services. Offerors are required to submit the following items, in clearly labeled, sections, as a complete proposal:
- 5.2 Technical Proposal
- 5.2.1 The return of this complete RFP signed and filled out as required.
  - 5.2.2 A detailed narrative describing the offeror's knowledge and understanding of the work to be performed as outlined in the Scope of Work, including the offeror's complete description of what services and outcomes are required to provide restoration services in the least restrictive environment.
  - 5.2.3 A detailed description of the offeror's experience in projects of this type to include duration or period covered.
  - 5.2.4 A detailed example of typical child/adolescent treatment plan/ individualized service plan.
  - 5.2.5 A complete and thorough example of the following:
    - (a) Case management protocol.
    - (b) Supervisory protocols.
    - (c) Quality Assurance protocols.
  - 5.2.6 A detailed narrative discussing staffing requirements necessary to provide the above referenced services, which includes but is not limited to staff credential requirements, staff replacement and/or retention, recruitment and training of personnel. This must include a description of any subcontracting arrangements anticipated.

- 5.2.7 Resumes and description of all personnel who shall be providing services under this award and list of any potential subcontractors who shall provide services under this award to include subcontractors credentials, knowledge and understanding of the work to be performed. If personnel are not currently full time staff members of the offeror, a signed and dated statement from each individual confirming availability and willingness to perform assigned functions must be provided.
- 5.2.8 A detailed narrative of the offeror's demonstrated abilities,
  - 5.2.8.1 To provide restoration services and related evaluation and case management services in all areas of each Partnership Planning Region (PPR) in which the offeror(s) proposes to provide services. See Section 1.11.
  - 5.2.8.2 To coordinate service delivery with other support organizations delivering other services to juveniles.
  - 5.2.8.3 To serve juveniles in the Commonwealth of Virginia in their homes, their communities, hospitals or treatment settings, juvenile detention facilities, adult jails and detention facilities. etc.
  - 5.2.8.4 To serve juveniles who suffer from behavioral health and/or developmental disorders
  - 5.2.8.5 To provide case management services.
  - 5.2.8.6 To conduct post restoration juvenile competency evaluations and or subcontract with private providers to complete this function.
- 5.2.9 A Detailed implementation timeline demonstrating the assurance that the Offeror will have the ability to initiate the provision of all required services on July 1, 2014.
- 5.2.10 The Offeror(s) must specify the geographic area(s) of the state in which the Offeror(s) proposes to provide all services described herein. Offeror are asked complete (Attachment B)

### 5.3 Cost Proposal

- 5.3.1 Offerors should submit their proposal using the Excel File provided (Attachment C).
- 5.3.2 Offerors may propose an alternative pricing structure to include, but not limited to a Fixed Price per client Fee inclusive of all service provision; or, a hybrid of Fixed Price and Fee for Service Line Items
- 5.3.3 Each service is a discrete service. Only one type of service may be billed for by a single employee of the Contractor(s) during a discrete time period. A Contractor(s) may not bill for two (2) services provided to the same juvenile during the same time period.

5.4 **RFP RESPONSE:** In order to be considered for selection Offerors must submit a complete response to this RFP. One (1) original and five (5) copies must be submitted to the DBHDS. No other distribution of the proposal shall be made by the Offeror.

5.5 **PROPOSAL PREPARATION:** Proposals shall be signed by an authorized representative of the Offeror. All information requested must be submitted. Failure to submit all information requested may result in your proposal being considered nonresponsive and, therefore, rejected. Proposals should be prepared simply and economically, providing a straightforward, concise description of capabilities to satisfy the requirements of the RFP. Emphasis should be on completeness and clarity of content. Each original of the proposal should be bound in a single volume.

Proposal submitted either electronically or hard-copy should be on 8 ½ X 11 inch page, in any font, no small than 11 point, with one-inch margins on all sides, top and bottom. Figures and tables used as part of a proposal can be 8 point.

5.6 **ORAL PRESENTATION OF PROPOSAL:** Offerors who submit a proposal in response to this RFP may be required to give an oral presentation of their proposal to the DBHDS selection team. At the Offeror's request these may be via telephone conference call. This will provide an opportunity for the Offeror to clarify or elaborate on the proposal but will in no way change the original proposal. Oral presentations are an option of the agency and may not be conducted. Therefore, written proposals must be complete.

## 6.0 **EVALUATION AND AWARD CRITERIA**

6.1 Proposals shall be evaluated by the DBHDS using the following criteria:

6.1.1 Demonstrated and documented knowledge and experience of the Offeror in providing the proposed services in the least restrictive environment. (100 pts Maximum)

6.1.2 Soundness of the Contractor's implementation timeline and assurances provided that the Offeror has the ability to begin providing services to the clients on July 1, 2014. (50 pts Maximum)

6.1.3 Soundness and validity of the Contractor's,

6.1.3.1 Forensic Juvenile Competency Evaluations

6.1.3.2 Restoration to Competency Services Plan

6.1.3.3 Case management protocol

6.1.3.4 Quality Assurance protocols

6.1.3.5 Service plan

6.1.3.6 Staffing

6.1.3.7 Demonstrated ability to provide quality services in the least restrictive environment (50 pts. Maximum)

6.1.4 Qualifications and experience of proposed key staff. (25 pts. Maximum)

6.1.5 Demonstrated and documented experience and success of the Contractor for the items in numbers 5.2.8.1 through 5.2.8.6 above. (100 pts. Maximum)

6.1.6 Ability of the provider to provide reports and information as specified or desired herein. (25 pts. Maximum)

6.1.7 Cost proposals for services to be provided. (200 pts. Maximum)

- 6.2 **AWARD:** Selection shall be made of two or more Offerors deemed to be fully qualified and best suited among those submitting proposals on the basis of the evaluation factors above. Negotiations shall be conducted with the Offerors so selected. After negotiations have been conducted with each Offeror so selected, the agency shall select the Offeror(s) which, in its sole opinion, has made the best proposal, and shall award the contract to that Offeror. The agency may cancel this Request for Proposals or reject proposals at any time prior to an award, and is not required to furnish a statement of the reason why a particular proposal was not deemed to be the most advantageous. (Section 11-65D, Code of Virginia.) Should the DBHDS determine in writing and in its sole discretion that only one offeror is fully qualified, or that one offeror is clearly more highly qualified than the others under consideration, a contract may be negotiated and awarded to that offeror. The award document will be a contract incorporating by reference all the requirements, terms, and conditions of the solicitation and the Contractor's proposal as negotiated.

SCHEDULES and ATTACHMENTS TO RFP# 720C-00501-14C issued on April 3, 2014

Schedule A: General Terms and Conditions

Schedule B: Special Terms and Conditions

- A. Participation in State Procurement Transactions by Small Businesses and Businesses Owned by Women and Minorities
  - B. Partnership Planning Region Matrix
  - C. Cost Proposal Matrix
- 
- 1. Juvenile Restoration Case Distribution
  - 2. Juvenile Restoration Evaluator Credentials
  - 3. Juvenile Restoration Counselor Requirements
  - 4. Juvenile Restoration Supervisor Qualifications
  - 5. Juvenile Restoration Manual
  - 6. Juvenile Restoration Supervisory Report
  - 7. Map showing Virginia's Partnership Planning Regions (PPRs)